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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,934	02/21/2007	Volker Thoms	095309.57644US	7536

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EXAMINER	
BESLER, CHRISTOPHER JAMES	
ART UNIT	PAPER NUMBER
4176	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/577,934	THOMS, VOLKER	
	Examiner	Art Unit	
	CHRISTOPHER BESLER	4176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 February 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,7,12 and 13* is/are rejected.

7)☒ Claim(s) *4-6, 8-11 and 14-25* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 February 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/21/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 1 – 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabbianelli (U.S. Patent Application Number 09/845,346) in views of Beckman (U.S. Patent Number 6,769,178) and Wang (U.S. Patent Application Number 10/405,957).

3. As to claim 1, Gabianelli teaches a method for producing a vehicle component which includes spring strut mountings elongate (figure 2, circular mounting elements facing inward from elements 54 and 34); wherein: horizontally disposed spaced apart parallel elongate tubular longitudinal member hollow profiles (figure 1, elements 24 and 26; page 2, column 16) are connected nonreleasably to one another at respective longitudinal ends thereof, by tubular cross member hollow profiles (figure 1, elements 40 and 48; page 2, paragraph 18 and page 3, paragraph 31). Note that this is found because Gabianelli teaches that these cross members are formed through a stamping process which would inherently result in a hollow profile. Gabianelli also teaches a hollow-profile-like crossbar capable of receiving a rear axle (figure 1, element 42; page 2, paragraph 18 and page 3, paragraph 31), a differential and transveral link (figure 1, element 28; page 5, paragraph 39), and a hollow-profile-like crossbar which is spaced apart in the longitudinal direction (figure 1, element 44; page 2, paragraph 18 and page

3, paragraph 31) and is capable of securing a vehicle transmission between the two end-side cross member hollow profiles, and secured on the longitudinal member hollow profiles (figure 1, elements 24, 26, 28, 40, 44, 46, and 48; page 3, paragraph 31 and page 5, paragraph 39); size and shape of the cross section of the longitudinal member hollow profiles are formed in an expanding manner by means of internal high pressure forming (figure 2, elements 30, 32, and 34; page 2, paragraphs 17 - 19). Gibianelli also teaches a plurality of body mountings (figure 1, mounting elements facing outward from elements 54, 34, 150, and 32), and bearing mountings (figure 1, mounting elements facing outward from element 12), but does not teach a method of manufacturing these mountings. Beckman and Wang each teach a method of manufacturing mountings. Beckman teaches forming secondary shaped elements laterally from the longitudinal member hollow profile (figure 5, element 64; column 6, lines 43 – 47) by application of a fluidic internal high pressure (figure 5, element 64; column 3, lines 8 – 12 and 24 - 30) and subsequent vertical perforation of the secondary shaped elements (figure 5, element 64a; column 6, lines 43 - 47). Alternatively, Wang teaches forming secondary shaped elements laterally from the longitudinal member hollow profile by application of a fluidic internal high pressure process (figure 3, element 42; page 2, paragraph 19). Wang further teach the secondary shaped elements to be unperforated and contain an edge of the upper side of the respective longitudinal member hollow profile (figure 4, elements 38, 42, and 45; page 2, paragraph 19) Note that this can be found because the protrusion shares an edge with the respective longitudinal member hollow profile (see figure 4, at contact point of elements 45 and 38). While Wang does not teach

secondary shaped elements being pinched flat, it would have been obvious to one skilled in the art to pinch the elements flat such that a radially protruding sheet metal fold is formed so that the protrusions more easily attach to the part to be connected to the longitudinal member. It would have been obvious to one skilled in the art to form the mountings taught in Gabbianelli through the process taught by Beckman and Wang because Gabbianelli teaches a longitudinal member with a plurality of mountings but does not teach the method of making the mountings, while Beckman and Wang teach a method of making mountings for the mountings.

4. As to claim 2, it would have been obvious to one skilled in the art to pinch the radially protruding sheet metal fold by means of an internal high pressure forming die.

5. As to claim 3, it would have been obvious to one skilled in the art to perforate the holes in the body mountings, bearing mountings, longitudinal links, and spring strut mountings by hole punches which are integrated into an internal high pressure forming die, in which the longitudinal member hollow profiles are formed by internal high pressure.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gabianelli, in view ofBeckman, and Wang as applied to claim 1 above, and further in view of Cudini (U.S. Patent Number 4,567,743). Neither Gabianelli, Beckman, or Wang teach a method for forming the crossbar. Cudini teach a crossbar formed from an oval tube (figure 1, element 10; column 2, lines 46 - 48), a central region of at least on the longitudinal side of the oval tube being pressed in by means of a punch (figure 5, elements 37 and 38). Cudini does not teach the punch to press until its longitudinal

sides come together. However, it would have been obvious to one skilled in the art to have the punch continue to press until its longitudinal sides come to bear against each other, so that the crossbar described in Gabbianelli (figure 1, elements 44 and 46) may be formed. Cudini also teaches expanding the side cavities which arise by applying internal high pressure, with the longitudinal sides continuing to bear against each other, to form tubes which run parallel and have an approximately circular cross section (column 6, lines 2 - 12). Neither Gabbianelli, Beckman, Wang, nor Cudini teach a hole being punched in the axle mounting. However, it would have been obvious to one skilled in the art to punch a hole in the longitudinal side of the rear axle mounting, which is capable of securing mountings for a differential and transmission, by means of a punch.

Claim Objections

7. Claims 4 - 6, 8 – 11, and 14 – 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER BESLER whose telephone number is (571)270-5331. The examiner can normally be reached on 7:30 - 5:00, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bryant David can be reached on (571) 272-4520. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. B./
Examiner, Art Unit 4176

/Marvin M. Lateef/
Supervisory Patent Examiner, Art Unit 4176